

REMARKS:

Claims 39 through 42, 44, 47 through 49, 51, 53 through 56 and 59 remain standing for prosecution in this patent application.

The Examiner has rejected claims 39 through 42, 44, 47 through 49, 51, 53 through 56 and 59 under 35 U.S.C. 102(b), as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over the Lemieux (3,750,729) or Ahn (4,372,362). Applicant respectfully disagrees with the Examiner for the following reasons.....

For of the sake of convenience, the last paragraph of claim 39 as presently on file, is a set forth below:

"Wherein each said actuating means is adapted to be easily deflected in a radial direction with respect to said longitudinal axis and resists deflection in a transverse direction relative thereto, to operably align the selected tool bit with said tool bit receiving channel as said tool bit is urged into said extended position."

First we will examine the Lemieux Patent (3,750,729) for this limitation.

The Lemieux patent discloses a multi driver tool 10 having a housing 11 wherein a chamber 12 holds a plurality of drivers 27 for screws and the like. Each driver 27 has one end of a connector 50 secured to the inner end of the driver 27. The opposite other end of the connector 50 is secured to a slide 45, as can be best seen in Figure 9. Each guided slide 45 has a handle 46 in the form of a screw having a head 47. The screw 46 travels along slot 41, while the head 47 of the screw 46 travels along the enlarged section 42 of the slot 41, as the driver 27, the connector 50, and the slide 45 are moved from a fully retracted position to a fully extended position, whereat the driver 27 is in an in-use position,

and back again.

As can be readily seen in Figure 9, the connector 50 is comparatively stiff but also bendable, and as disclosed, comprises a spirally-wound strip of material. Therefore, the connector 50 is functionally symmetrical (in a lateral sense) along its length. Accordingly, the connector 50 would be bendable equally in all directions from its longitudinal axis.

Further, a helical spring 79 is disposed around each connector 50, for biasing the respective tool bit 27 and guide unit 34 to the fully retracted position. Similarly, the helical spring 79 is functionally symmetrical (in a lateral sense) along its length. Accordingly, the helical spring 79 would be bendable equally in all directions from its longitudinal axis.

As can be readily understood from the above description, the driver 27 cannot rely on the structure of the connector 50, the helical spring 79, or the guided slide 45 to guide the drivers 27 to the passage 20 in the housing 11, when being moved to the fully extended in-use position. Instead, the only way that the drivers 27 can be urged towards the passage 20 is as follows. As set forth starting at column 2, line 57, suitable means are provided for guiding each of the drivers 27 into the passage 30, when the slide 45 of that driver 27 is moved forwardly towards its fully extended in-use position. This is accomplished by the annular wall 54 within the chamber 12 at the back end of the passage 20. This annular wall 54 tapers inwardly to the inner end of the passage 20, so that when any one of the drivers 27 is moved forwardly of the chamber, its outer end is guided into the inner end of the passage 20.

It has been found that in the above described configuration, it is common for the drivers 27 to jam when being introduced into the passage 20. Accordingly, the present invention was

specifically designed to present means "to operably align the selected tool bit with said tool bit receiving channel as said tool bit is urged into said extended position", as a set forth in the last paragraph of claim 39.

The Lemieux patent does not teach whatsoever having an actuating means that is easily deflected in a radial direction with respect to its longitudinal axis, and resists deflection in a transverse direction relative to the radial direction, in order to align the selected tool bit with a tool bit receiving channel, such as a passage 20.

Similarly, the Ahn patent (4,372,362), discloses a tool, specifically a multi-bit screwdriver, wherein each of the plurality of bits for are slidably retained within housing 2, for movement between a retracted position and an extended position, and back again, by means of a shaft 16 extending outwardly from a pathway 14 in each bit 4, through an opening 12 in the housing 2.

Applicant submits that as can be readily seen in Figure 2, the bits 4 are stiff, and there is no flexible actuator, or the like, associated with them.

The Ahn patent does not teach whatsoever having an actuating means that is easily deflected in a radial direction with respect to its longitudinal axis, and resists reflection in a transverse direction relative to the radial direction, in order to align the selected tool bit with a tool bit receiving channel, such as a passage 20.

Applicant therefore respectfully submits that since a necessary limitation found in claim 39 has not been found in either of the cited prior art references, and since claims 40 through 42, 44, 47 through 49, 51, 53 through 56 and 59 depend from claim 39, that the Examiner's rejections of the claims under 35 U.S.C. 102(b)

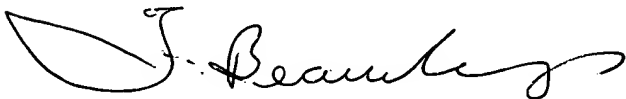
and 35 U.S.C. 103(a) have been overcome. Accordingly, Applicant submits that the claims of the patent application define over the prior art.

In light of all of the above, Applicant respectfully submits that the application is in condition for allowance and respectfully requests prosecution toward that end.

If it would help in the prosecution of the present patent application, Applicant invites the Examiner to call collect at the above telephone number.

Respectfully submitted,

Fern Beauchamp

A handwritten signature in cursive script, appearing to read "F. Beauchamp", with a large, stylized initial "F" that loops around the first part of the name.